

PETITION FOR ZONING VARIANCE 84-351-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1 B02.3B. (VIC.4) to permit a rear yard setback of 41' instead of the required 50'.

By the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship to practical difficulty)

1. It is impossible to expand in any other direction.
2. Additional space is needed to enjoy the full use of the home.
3. Cannot afford to move to a larger home.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
 Legal Owner(s):
 Barbara J. Harvey
 (Type or Print Name)
 Signature: _____
 (Type or Print Name)
 Address: _____
 City and State: _____
 Attorney for Petitioner:
 Security Builders, Inc.
 (Type or Print Name)
 Signature: Steven I. Feldman
 6660 Security Blvd.
 Address
 Baltimore, MD 21207
 City and State
 Attorney's Telephone No: 245-8000
 Address _____
 Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 8th _____ day of _____ May _____, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ 19th _____ day of _____ June _____, 1984, at 10:15 o'clock A.M.

Carl J. Jablon
 Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
 TO: Zoning Commissioner
 Date: June 11, 1984
 Norman E. Gerber, Director
 FROM: Office of Planning and Zoning
 Zoning Petition Nos. 84-346-A, 84-349-A, 84-350-A, 84-351-A, 84-352-A,
 SUBJECT: 84-353-A, 84-354-A, 84-355-A, 84-357-A, 84-358-A, 84-359-A, 84-361-A and 84-364-SpH.

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
 Norman E. Gerber, Director
 Office of Planning and Zoning

NEG/JGH/sf

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your petition has been received and accepted for filing this
 8th day of May, 1984.

Arnold Jablon
 Arnold Jablon
 Zoning Commissioner

Petitioner: Barbara J. Harvey
 Received by: *Nicholas B. Commodari*
 Petitioner's Attorney: _____
 Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 8, 1984

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

Mr. Steven I. Feldman
 6660 Security Boulevard
 Baltimore, Maryland 21207

RE: Case No. 84-351-A (Item No. 292)
 Petitioner: Barbara J. Harvey
 Variance Petition

Dear Mr. Feldman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to construct an addition to the rear of the existing dwelling, this variance is required. A similar type of hearing (Case No. 84-37-A) was granted for the property located at 2734 Yarnall Road.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

NEC:mch

Enclosures



BALTIMORE COUNTY
 DEPARTMENT OF PUBLIC WORKS
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
 DIRECTOR

June 1, 1984

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #292 (1983-1984)
 Property Owner: Barbara J. Harvey
 N/S Yarnall Rd. 64' E. Scotia Dr.
 Acres: 16 X 110 District: 13th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 292 (1983-1984).

Very truly yours,

Robert A. Norton
 ROBERT A. MORTON, P.E., Chief
 Bureau of Public Services

RAM:EAM:FWR:SS

C-NE Key Sheet
 24 SW 6 Pos. Sheet
 SE 6 B Topo
 109 Tax Map



BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 TOWSON, MARYLAND 21204
 NORMAN E. GERBER
 DIRECTOR

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

5/1/84

Re: Zoning Advisory Meeting of 5-8-84
 Item # 292
 Property Owner: BARBARA J. HARVEY
 Location: N/S YARNALL RD. 64' E. SCOTIA DR.

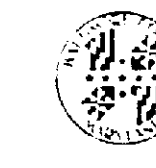
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () The parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

James A. Boser
 James A. Boser
 Chief, Current Planning and Development

cc: James Howell



BALTIMORE COUNTY
 FIRE DEPARTMENT
 TOWSON, MARYLAND 21204-2566
 474-4500

PAUL H. RENCKE
 CHIEF

May 9, 1984

Mr. William Hammond
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Attention: Nick Commodari, Chairman
 Zoning Plans Advisory Committee

RE: Property Owner: Barbara J. Harvey

Location: N/S Yarnall Road 64' E. Scotia Drive

Item No.: 292

Zoning Agenda: Meeting of 5/8/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *Paul H. Rencke*
 Planning Group
 Special Inspection Division

Approved: *George M. Hagmann*
 Fire Prevention Bureau

/mb

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~be~~ granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 25th day of June, 1984, that the herein Petition for Variance(s) to permit a rear yard setback of 41 feet in lieu of the required 50 feet for the expressed purpose of constructing an addition, in accordance with the site plan filed herein marked Petitioner's Exhibit 1, is GRANTED, from and after the date of this Order, subject to the approval of said plan by the Office of Planning and Zoning.

Jan M. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING

DATE June 25, 1984
BY Jan M. Jung
Deputy Zoning Commissioner

May 23, 1984

Ms. Barbara J. Harvey
2721 Yarnall Road
Baltimore, Maryland 21227

NOTICE OF HEARING
Re: Petition for Variance
S/S Yarnall Rd., 174' E of Scotia Road
(2721 Yarnall Road)
Barbara J. Harvey - Petitioner
Case No. 84-351-A

TIME: 10:15 A.M.

DATE: Tuesday, June 19, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Security Builders, Inc.
c/o Steven L. Feldman
6660 Security Boulevard
Baltimore, Maryland 21207

Jan M. Jung
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 130203

DATE 4/23/84 ACCOUNT R-01-615-000

AMOUNT 35.00

RECEIVED FROM Security Builders

FOR Payment for New # 282 - Variance

C 036*****35610 0246A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

May 10, 1984

TO: ZALSKI JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 292 Zoning Advisory Committee Meeting are as follows:

Property Owner: Barbara J. Harvey
Location: N/S Yarnall Road 64' E. Scotia Drive
Existing Zoning: D.H. 10.5
Proposed Zoning: Variance to permit a rear yard setback of 41' in lieu of the required 50'.

Access: 16 x 110
District: 13th.

The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 and other applicable Codes.

B. A building/other structure shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

NOTE: E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistant construction; no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, Line 2, Section 1107 and Table 1102, also Section 501.2. A 2 hour fire wall shall be provided at the east and west interior property lines.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section 4.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:es

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13th Date of Posting 6-2-84

Posted for: Variance

Petitioner: Barbara J. Harvey

Location of property: S/S Yarnall Rd. 174' E of Scotia Road
2721 Yarnall Road

Location of Sign: In front of 2721 Yarnall Road

Remarks:

Posted by: E.J. Ganta Date of return: 6-2-84

Number of Signs: 1

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S Yarnall Rd., 174' E of :
Scotia Rd. (2721 Yarnall Rd.), : OF BALTIMORE COUNTY
13th District :
BARBARA J. HARVEY, Petitioner : Case No. 84-351-A
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 5th day of June, 1984, a copy of the foregoing Entry of Appearance was mailed to Steven I. Feldman, Esquire, Security Builders, Inc., 6660 Security Blvd., Baltimore, Maryland 21207, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

May 31 19 84

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE

was inserted in the following:

xx Catonsville Times

xx Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 2 day of June 19 84, that is to say, the same was inserted in the issues of

May 31, 1984

PATUXENT PUBLISHING CORP.
By *[Signature]*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

84-351-A
CERTIFICATE OF PUBLICATION

TOWSON, MD. May 31 19 84

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 31, 1984.

THE JEFFERSONIAN.

B. Venetian

Cost of Advertising 16.00



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

June 12, 1984

Ms. Barbara J. Harvey
2721 Yarnall Road
Baltimore, Maryland 21227

Re: Petition for Variance
S/S Yarnall Rd. 174' E of Scotia Rd.
(2721 Yarnall Road)
Barbara J. Harvey - Petitioner
Case No. 84-351-A

Dear Ms. Harvey:

This is to advise you that \$36.30 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 130543

DATE 6-19-84 ACCOUNT R-01-615-000

AMOUNT \$36.30

RECEIVED FROM: Barbara J. Harvey
FOR: Advertising & posting Case 84-351-A

0 028*****363010 8192A

VALIDATION OR SIGNATURE OF CASHIER

Beginning on the south side of Yarnall Road 60' wide,
at a distance of 174' from Scotia Drive. Being lot 11,
Block E, Section II, in the sub-division known as Friend-
ship Gardens. Plat Book G.L.8, Number 22, Folio 21. Also
known as 2721 Yarnall Road, in the 13th election district.

PETITION FOR VARIANCE

13th Election District

ZONING: Petition for Variance

LOCATION: South side Yarnall Road, 174 ft. East of Scotia Road
(2721 Yarnall Road)

DATE & TIME: Tuesday, June 19, 1984 at 10:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland

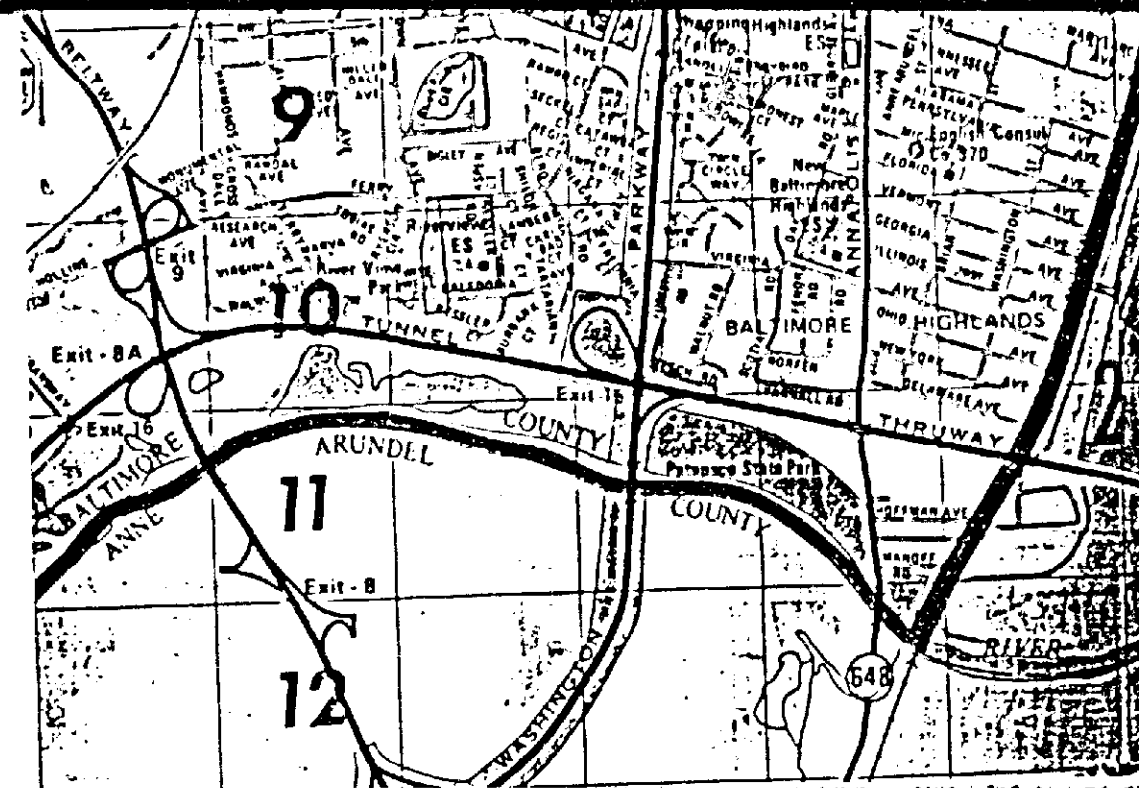
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act
and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 41 ft. instead
of the required 50 ft.

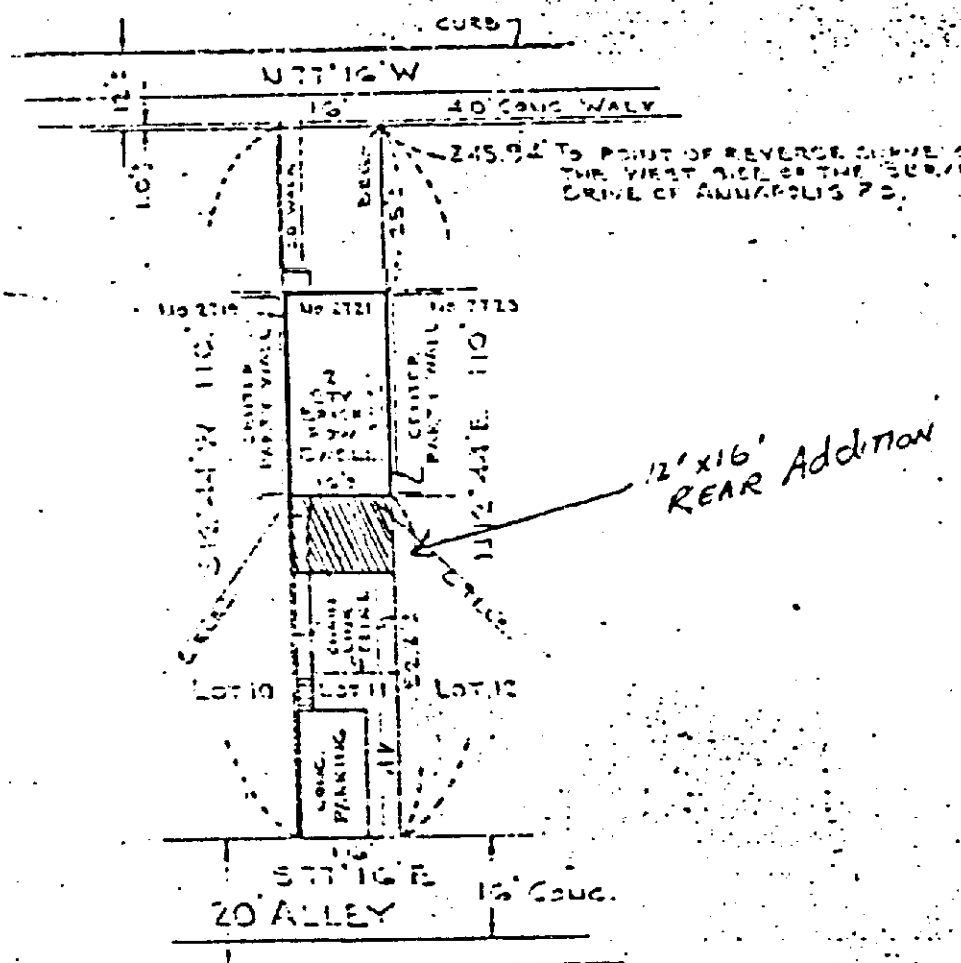
Being the property of Barbara J. Harvey, as shown on plat plan filed with the
Zoning Department.

In the event that this Petition is granted, a building permit may be issued within
the thirty (30) day appeal period. The Zoning Commissioner will, however,
entertain any request for a stay of the issuance of said permit during this period
for good cause shown. Such request must be received in writing by the date of the
hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



YARNALL ROAD (60' WIDE)
(PAVED 32')



Scale
1"=30'

Location
2721 Yarnall Road, Baltimore County, Maryland
Owner: Barbara Harvey

Zoning DR 10.5
Election District 13
Public Utilities exist in road.

PETITIONER'S
EXHIBIT 1